<u>Remarks</u>

Claims 1 to 19 are in this application.

A request for an Extension of Time for three months is being submitted herewith.

Reconsideration of the rejection of claim 1 is being anticipated by <u>Flick</u> is requested.

The Examiner alleges that the claimed electronic tag is met by the vehicle tracking unit 25 of <u>Flick</u>. Issue is taken in this respect.

<u>Flick</u> describes a vehicle tracking system 20 that includes a vehicle tracking unit 25 to be mounted in a vehicle and a monitoring station 30 which is removed from the vehicle and which is typically in a fixed location. (column 5, lines 25 to 30) The vehicle tracking unit 25 includes a controller 40, a vehicle position determining device 42 and a wireless communications device 44 connected together. The vehicle position determining device 42 may be provided by a GPS receiver that typically operates by receiving multiple signals from spaced apart satellites 38. (column 6, lines 4 to 13).

Claim 1, as amended, is directed to a system comprising the steps of affixing an electronic tag. . . including a wireless transceiver for communication over a communications network, a GPS receiver..., a microprocessor *for performing onboard calculations* and transferring data from said GPS receiver to said transceiver and *firmware in said microprocessor for processing instructions for operation of said transceiver, said GPS receiver and said microprocessor and for communicating with the communications network*". <u>Flick</u> does not describe or teach such a combination of elements.

Specifically, <u>Flick</u> does not describe a microprocessor for performing onboard calculations. The controller 40 of <u>Flick</u> simply receives input signals from a cellular

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network that cause the controller 40 to activate a certain response in the vehicle tracking unit (Col. 8, lines 23-26) or sends an alert message to the monitoring station 30 including vehicle position information (Col. 9, lines 27- 35). The controller 40 does not perform any on board calculations.

Also, Flick does not describe firmware for operating the position determining device 42 and the communications device 44 and communicating with a communications network. Instead, as described, the controller 40 is connected to other elements for delivering signals thereto but does not transfer data e.g. from the GPS receiver 42 to the communications device 44.

Simply stated, applicants' structure allows the electronic tag to perform on board calculations regarding movements of the article to which the tag is affixed and to deliver information corresponding thereto via a communications network (e.g. the internet). In Flick the controller 40 does not perform any calculations. Thus, applicants' structure permits on board calculations to be performed on board the electronic tag and at a low cost. This replaces the need to send the gathered information to a server that, in turn, needs to process the information at a higher cost.

In view of the above, a rejection of claim 1 as being anticipated by Flick is not warranted pursuant to the provisions of 35 USC 102.

Claims 2 to 4 depend from claim 1 and are believed to be allowable for similar reasons.

Claim 2, as amended, more particularly points out the step of "tracking the location of the article over a period of time" and delivering corresponding information "to display the path of travel of the article over time on a map". The Examiner notes that Flick describes using the vehicle tracking unit 25 to allow a user to maintain current

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vehicle position information by overlaying the vehicle position information on a map. However, this is distinct from applicants' claimed steps. That is to say, in Flick, the user must periodically locate the vehicle position on the map whereas the system of claim 2 of the application displays the actual path of travel (i.e. not a series of unconnected dots on a map). Accordingly, claim 2 is believed to be allowable over Flick for this additional reason.

Claim 5 is directed to an electronic tag. As amended, claim 5 requires the electronic tag to have "a wireless transceiver. . . ; a GPS receiver. . . ; a microprocessor for performing onboard calculations and transferring data from said GPS receiver to said transceiver; and firmware in said microprocessor for processing instructions for operation of said transceiver, said GPS receiver and said microprocessor". Flick does not describe or teach a microprocessor for reasons as expressed above with respect to claim 1 and does not describe or teach firmware as claimed. Accordingly, a rejection of claim 5 as being anticipated by Flick is not warranted pursuant to the provisions of 35 USC 102.

Claims 6 to 8 depend from claim 5 and are believed to be allowable for similar reasons.

Claim 6 further requires the electronic tag to have a motion detector for sensing motion and "a flash memory in said firmware for storing a running log of where the article has traveled". Flick does not describe or teach that the vehicle tracking device 25 has such a flash memory. Accordingly, claim 6 is believed to be allowable over the references of record pursuant to the provisions of 35 USC 102 and 103.

Claim 8 depends from claim 5 and further characterizes the specific microprocessor being claimed. Flick does not describe or teach such a structure.

Claim 9 is directed to an asset management and protection system comprising "a PADworks software component system containing an inventory of disparate articles and a LOCATE function to locate a selected article of said inventory". Flick is not directed to such a system. Instead, Flick is directed to a system for locating a vehicle that has been provided with a tracking unit.

Claim 9 further requires a plurality of PADtag components, "each said PADtag component containing information characteristic of a selected article of said inventory and affixed to said selected article". Applicants' claimed system allows a multiplicity of different items of value to be tagged and located in the event the item is taken away. (See applicants' description on page 6, beginning on line 6.)

Claim 9 further requires each PADtag component to include a wireless transceiver, a GPS receiver, a microprocessor and firmware as recited in claim 5.

Accordingly, for the above reasons, claim 9 is believed to be allowable over the references of record pursuant to the provisions of 35 USC 102 an103.

Claims 10 to 19 depend from claim 9 and are believed to be allowable for similar reasons.

Further, claim 10 contains recitations similar to claim 2 and is believed to be allowable for similar reasons.

Claims 12 to 18 contain recitations corresponding to the description at pages 17-18.

The remaining references have been reviewed; however, none is believed to be pertinent to the claimed subject matter taken alone or in combination.

The application is believed to be in condition for allowance and such is respectfully requested.

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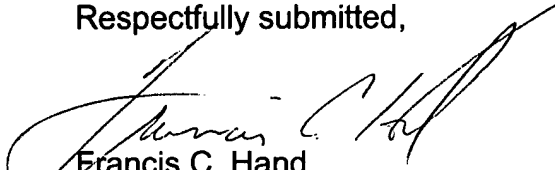
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Respectfully submitted,

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